

Sixth Account and Report of Trustee, Petition for Approval of Trustee: Petition for Approval of Trustee Fees; and for Allowance of Attorney Fees and Costs

		INLAND COUNTIES REGIONAL CENTER, INC.,	NEEDS/PROBLEMS/COMMENTS:
		Trustee, is Petitioner.	<u>CONTINUED TO 7-28-14</u> Per Attorney Request
		Account period: 3-1-13 through 2-28-14	
		Accounting: \$187,603.43	1. Petitioner requests costs including \$19.95 for postage, which is considered by the Court to be a cost of doing business and not reimbursable pursuant to Local Rule 7.17. This amount will be deducted from the total costs. 2. Attorney fee request indicates that Petitioner estimated one hour for a total of \$100.00 to prepare the Notice of Hearing form, which as noted above indicated an incorrect date. The Court may require clarification regarding the amount of time spent preparing this simple form. Note: The Court will set a status hearing for the filing of the next account as follows: <ul style="list-style-type: none"> Monday, 6-22-15 if a one-year account is required, OR Monday, 6-20-16 if a two-year account is required If the account has been filed, the above status hearing may be taken off calendar.
		Beginning POH: \$179,374.95	
		Ending POH: \$180,618.53 (cash)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	<p>Trustee: \$1,358.64 (0.75% paid during account period, per order 8-21-13)</p> <p>Attorney Steven K. Beckett: \$1,870.00 (for 13.35 total attorney and paralegal hours, which includes <i>estimated</i> time for preparation of the notice of hearing and appearance at the hearing)</p> <p>Costs: \$305.95 (for filing fee, courtcall, postage)</p> <p>Petitioner states the Court has denied Petitioner the authority to allow Master Trust of California to increase its trustee fees pursuant to the new fee schedule dated 2-14-12. However, on another special needs trust, 04CEPR00105, the Court, in its order dated 8-22-13, did authorize Petitioner to increase its trustee fees to 1% of the funds held in the trust. Honorable Judge Oliver advised Petitioner's attorney to remind him that he had agreed to the increase when this case came up for hearing so that he could approve the increase on this case as well. Therefore, Petitioner requests that it be authorized to take future trustee fees in the amount of 1% of the funds held in the trust to be taken in quarterly payments.</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> Settling, allowing and approving the account and report; Ratifying, confirming and approving all acts and transactions of trustee as set forth in this account; Authorizing payment of the attorney's fees and costs; Approving payment of trustees fees during this account; Authorizing Petitioner to take future trustee fees in the amount of 1% of the funds held in the trust to be taken in quarterly payments; and Other relief that the Court considers proper. 	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: skc Reviewed on: 6-25-14 Updates: Recommendation: File 1 - Appleton

(1) First Account and Status Report of Administrator, and (2) to set Aside Exempt Personal Property

DOD: 9/18/2007		LAURA DOZIER , surviving spouse/Administrator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 2/4/2008 – 9/30/2013	<p>There have been 6 continuances in this matter. As of 6/26/14 the following issues remain:</p> <ol style="list-style-type: none"> 1. Petition does not allege any fact as to why the personal property should be set aside for the surviving spouse. 2. Disbursement schedule does not include the nature and purpose of each disbursement as required by Probate Code §1062(b). 3. Petition states the Petitioner used the proceeds from the sale of a bulldozer to reimburse herself various administrative expenses. Need itemization. 4. Need order <p>Note: If the petition is granted the court will set a status hearing for the filing of the petition for final distribution on Friday, September 26, 2014 at 9:00 a.m. in Dept. 303.</p> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p>
Cont. from 121113, 020314, 022414, 032414, 042114, 051914		Accounting - \$650,755.95 Beginning POH - \$650,750.00 Ending POH - \$333,000.00	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Petitioner states certain assets that were decedent's separate property constitute exempt personal property eligible to be set aside to the surviving spouse pursuant to Probate Code §6510. Petitioner requests the court set aside the following personal property with an aggregate value of \$10,250.00	
<input checked="" type="checkbox"/>	Inventory	<ul style="list-style-type: none"> • 1997 Chevrolet pickup truck • 2005 Honda ATV R1V32 • 2005 KTM Motorcycle • 1963 Willy Jeep 	
<input checked="" type="checkbox"/>	PTC	Petitioner states as surviving spouse, she is entitled to have the assets set over to her. Petitioner has already taken possession of the assets and requests that her actions be ratified and confirmed.	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters	2/4/08	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections	Petitioner states the estate is not yet in a position to close. An action was filed on a rejected creditor's claim. The estate defaulted. The estate now is reviewing the situation to see whether it is possible to file a motion to set aside the default. Petitioner believes it will take an additional 4-6 months to close the estate.	
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
Please see additional page			Reviewed by: KT Reviewed on: 6/26/14 Updates: Recommendation: File 2 – Dozier

Petitioner prays for an order:

1. That the First Account and Report of Petitioner be settled, allowed and approved as filed;
2. That all actions of Petitioner as Administrator, as set forth in the petition, account and report be ratified, confirmed and approved;
3. That the exempt personal property described in the petition be set aside to the surviving spouse;
4. That the administration of the estate continue.

3 Betty Jean Bier (Estate)

Case No. 13CEPR00116

Atty Wright, Judith A. (for Wanda June Timmons – Executor/Petitioner)

(1) First and Final Report of Executor, (2) Petition for Final Distribution without an Accounting and for (3) Allowance of Compensation for ordinary Services

DOD: 01/12/13	WANDA TIMMONS , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Accounting is waived.	
Cont. from	I & A – \$616,692.57	
Aff.Sub.Wit.	POH – \$567,818.89	
<input checked="" type="checkbox"/> Verified	(\$110,318.89 is cash)	
<input checked="" type="checkbox"/> Inventory	Executor – not addressed	
<input checked="" type="checkbox"/> PTC	Attorney – \$14,911.87	
<input checked="" type="checkbox"/> Not.Cred.	(statutory)	
<input checked="" type="checkbox"/> Notice of Hrg	Closing – \$2,000.00	
<input checked="" type="checkbox"/> Aff.Mail	Distribution, pursuant to decedent's will, is to:	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.	Andrew Bier – \$93,407.02 cash,	
Conf. Screen	plus real property and a 2007 Hyundai vehicle	
Letters 03/21/13		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/25/14
		Updates:
		Recommendation: SUBMITTED
		File 3B - Bier

3B

			JENNIFER SANCHEZ , Maternal Aunt and Guardian of the Estate without bond, is Petitioner. Account period: 3-26-13 through 3-26-14 Accounting: \$65,583.13 Beginning POH: \$55,498.48 Ending POH: \$64,583.13 (All cash, held in blocked account) Guardian: No compensation requested Attorney: No compensation requested Petitioner requests that the Court approve, allow and settle the account as filed and order such other relive as it considers proper.	NEEDS/PROBLEMS/COMMENTS: 1. Petitioner does not request compensation for herself or for her attorney; however, there is no statement that they are waiving compensation for this account period. The Court may require clarification.
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	2620(c)			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 6-25-14	
			Updates:	
			Recommendation:	
			File 4 - Navarro	

			<p>CYNTHIA THOMAS and PAMELA THOMAS, Daughters and Co-Conservators with bond of \$65,709.60, are Petitioners.</p> <p>Petitioners state the Conservatee purchased a residence with her late husband in 2007 for \$280,000.00: a first deed of trust was for \$224,000.00 and a second deed of trust was for \$56,000.00. The inventory value of the home as of 1-29-14 was \$195,000.00.</p> <p>Under the provisions of CCP §580b, the Conservatee cannot be personally liable to the lenders for deficiencies under either of the notes. Although the Conservatee and her husband made monthly payments, the payments were only applied to interest.</p> <p>The Conservatee resided in the home until January, 2014, when she moved in with her daughter, Co-Conservator Cynthia Thomas.</p> <p>The current principal balance outstanding on the first deed of trust is \$211,759.94, and the current principal balance outstanding on the second deed of trust \$52,574.87, for a total of \$264,334.81, which far exceeds the property's appraised value of \$195,000.00.</p> <p>Petitioners do not believe that renting the property is a viable option, as they would not be able to charge sufficient rent to cover expenses and reduce the principal balances. To further complicate matters, Petitioners state the Conservatee also acquired substantial credit card debt due to fraud prior to the initiation of conservatorship proceedings.</p> <p>Petitioners have discussed the proposed deed in lieu of foreclosure and the Conservatee supports the foreclosure. Petitioners believe that a court order instructing them to sign a deed in lieu of foreclosure or alternatively to allow foreclosure of the property would benefit the conservatorship estate by extinguishing the conservatorship estate's obligation under the anti-deficiency statute set forth above and by saving and preserving the estate from an obligation of approx. \$264,334.81.</p> <p>Petitioners pray for an order:</p> <ol style="list-style-type: none">1. Instructing the Co-Conservators to sign a deed in lieu of foreclosure, or in the alternative, authorizing the foreclosure as set forth in this petition;2. Instructing the Co-Conservators to take such further actions and execute any and all documents as may be necessary to proceed with the deed in lieu of foreclosure, or in the alterantive, to proceed with the foreclosure; and3. Grantign any and all other relief the Court deems just and proper.	<p>NEEDS/PROBLEMS/COMMENTS:</p>
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	w		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

DOD: 01/29/98		<p>DENNIS W. SNIFFIN, JAMES L. SNIFFEN, and CELESTE M. FISHER, children of the decedent, are Petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$9,800.00</p> <p>Will dated 08/27/97 devises her estate equally to her 4 children.</p> <p>Son, Mark Sniffen, assigns his interest in the estate ½ to Dennis Sniffen and ½ to James Sniffen.</p> <p>Petitioners request court determination that the decedent's 100% interest in mineral interests in real property pass to them pursuant to decedent's will and subject to the assignment of interest by Mark Sniffen.</p> <p>Declaration of Robyn L. Esraelian in Support of Petition to Determine Succession to Real Property filed 06/23/14 states: this Petition was originally set for hearing on 02/20/14. The Court was not inclined to grant the Petition due to the nature of the Assignment of one of the beneficiary's interest in the property to be distributed. County Counsel, being present in the courtroom, offered to have the matter turned over to the Public Guardian, who had the authority to transfer the property per the request in the Petition pursuant to CA Probate Code § 7660(a)(2), without the need for the court to enter an order thereon. Declarant states that she is still working with the Public Guardian and a further continuance will be needed to continue working on this matter with the Public Guardian. A 4 month continuance is requested.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 03/27/14</u></p> <p>As of 03/27/14, nothing further has been filed in this matter.</p> <p>1. There appears to be no provision in the Probate Code for Assignments in Summary Proceedings.</p>	
Cont. from 022014, 030614, 032714, 040114				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			w/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 06/25/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 – Sniffin</p>		

Petition for Probate of Will and for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 4/17/13		PUBLIC ADMINISTRATOR is petitioner and requests appointment as Administrator with Will Annexed. Full IAEA - o.k. Will dated: 7/12/2004 Residence: North Carolina (leaving personal property and purported life insurance proceeds held by decedent's brother, in Clovis CA.) Publication: Fresno Business Journal <u>Estimated value of the Estate:</u> Personal Property- \$250,000.00 Real property - \$150,000.00 Total - \$400,000.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: Continued from 4/28/14. Minute order states the court is advised that an ancillary probate will need to be opened. 1. Need original Will. <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Wednesday, November 12, 2014 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, August 12, 2015 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
Cont. from 031214, 042814				
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input checked="" type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input type="checkbox"/>	Duties/Supp			N/A
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 5/26/14		
		Updates:		
		Recommendation:		
		File 7 – Higgins		

Atty Munsey, Lisa (pro per – daughter/Petitioner)

Atty Walters, Jennifer L. (Court Appointed for Conservator)

Amended Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C. 1820, 1821, 2680-2682)

Age: 70		<u>NO TEMPORARY REQUESTED</u>		NEEDS/PROBLEMS/COMMENTS:		
		LISA MUNSEY , daughter, is Petitioner and requests appointment as Conservator of the Person with medical consent and dementia powers to administer dementia medications and for placement in a secured perimeter facility and for appointment of Conservator of the Estate with bond set at \$61,580.20.		Court Investigator advised rights on 02/27/14. Voting rights affected, need minute order. Note: If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Monday, 08/04/14 at 9:00a.m. in Dept. 303 for the filing of the bond and • Monday, 07/20/15 at 9:00a.m. in Dept. 303 for the filing of the first account. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required. Note: Inventory & Appraisal, final was filed 03/20/14		
Cont. from		Estimated Value of the Estate: Personal property -\$29,282.00 Annual income -\$26,700.00 Total -\$55,982.00				
	Aff.Sub.Wit.					
✓	Verified					
✓	Inventory					
	PTC					
	Not.Cred.					
✓	Notice of Hrg					
✓	Aff.Mail					w/
	Aff.Pub.					
	Sp.Ntc.					
✓	Pers.Serv.	w/	Petitioner states that the proposed conservatee has severe dementia and is unable to speak her needs or say when she is hungry. She must be in a climate controlled area due to having an allergy to cold. She requires assistance with all activities of daily living and is unable to manage her financial resources or pay her bills on her own. Court Investigator Charlotte Bien filed a report on 03/05/14.			
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
	Objections					
✓	Video Receipt					
✓	CI Report					
	9202					
✓	Order					
	Aff. Posting					
	Status Rpt		Reviewed by: JF Reviewed on: 06/25/14 Updates: Recommendation: File 8 - Munsey			
	UCCJEA					
✓	Citation					
	FTB Notice					

Petition to Instruct Trustee Regarding Distribution of the Trust Estate

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p><u>CONTINUED TO 7-30-14</u></p> <p>Per attorney request</p>	
	Reviewed by: skC	
	Reviewed on: 6-25-14	
	Updates:	
	Recommendation:	
	File 9 - Nilmeier	

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution

DOD: 10/06/01		<p>SARAH LOPEZ LOPEZ was appointed Executor with full IAEA authority and without bond on 6/25/2002.</p> <p>Letters issued 6/25/2002.</p> <p>I & A filed on 12/26/2002 showing the estate valued at \$157,395.49.</p> <p>First account or petition for final distribution was due 6/25/2003.</p> <p>Status Report of Executor filed on 10/30/2013 states sometime in 2005, counsel's files for the estate were inadvertently placed in a box of closed files and taken to counsel's storage unit not located at counsel's office. Counsel had no contact with the Executor after July 12, 2005. Counsel was unaware that the estate had not closed until he received the Notice of Status Hearing from the Court. Counsel sincerely apologizes to the Court, the Executor and all interested parties for his failure to complete his professional duties required to close the estate in a timely manner.</p> <p>Counsel has met with Sarah Lopez Lopez regarding the status hearing and need to close the estate. Ms. Lopez believed the estate had been closed for several years.</p> <p>Counsel has contacted the Law Offices of Joanne Sanoian to assist him and the Executor in settling the estate. Counsel anticipates the Final Account and Report of Executor can be filed by January 15, 2014.</p> <p>Status Report of Executor filed 01/28/14 states: it has been determined that additional documents are needed to complete an accounting and prepare the Petition for Final Distribution. Executor has looked through her files and found some things, but states that several boxes of files believed to have contained the estate files, suffered water damage and were discarded. The Executor has contacted Bank of America and requested copies of the estate bank statements from June 2002 – December 2004 and was informed that the statements were purged after 7 years and were therefore unavailable. With the limited records available, Counsel has been able to prepare an accounting, however, due to illnesses in Counsel's family, he has not been able to complete the report of the Executor. Counsel estimates that the report is 90% complete and could be filed within 2 weeks requests a 4 week continuance, with the understanding that the continued status hearing will come off calendar if the Accounting is filed by then.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> First and Final Account filed 06/26/14 and set for hearing on 07/30/14</p>
Cont. from 110813, 013114, 030314, 042814			
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters	06/25/02		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF
Reviewed on: 06/25/14
Updates: 06/26/14
Recommendation:
File 10 – Nelson

**Probate Status Hearing Re: Failure to File a Final Inventory and Appraisal and for
 Failure to File a First Account or Petition for Final Distribution**

		GLORIA L. MCAFEE , spouse, was appointed Executor with full IAEA without bond on 10/25/2006.	NEEDS/PROBLEMS/COMMENTS: <u>OFF Calendar. Petition to Close Zero Estate and Discharge Executor filed 06/19/2014. Hearing set for 07/29/2014.</u>
		Letters issued on 10/25/2006.	Minute Order of 03/07/2014 (Judge Hamlin): No appearances. Counsel to file the required documents or a status report before the next hearing. Failure to file said documents will result in the issuance of an order to show cause regarding contempt. Marcus Magness is ordered to be personally present 05/16/2014. Based on a no asset estate, the Court will waive the fees. Copy of Minute Order was mailed to Attorney Marcus D. Magness on 03/07/2014.
Cont. from 030714, 051614		Inventory and Appraisal was due on 03/2007.	
	Aff.Sub.Wit.	First Account or Petition for Final Distribution was due 12/2007.	
	Verified	Notice of Status Hearing was mailed to Marcus D. Magness on 12/20/2013.	
	Inventory	Former Status Hearing filed on 02/04/2014 states prior to the decedent's death he filed a voluntary bankruptcy. After Decedent's death, the bankruptcy trustee fought to retain jurisdiction over the Decedent's assets and ultimately prevailed. Under the arrangement the bankruptcy court retained jurisdiction over all Decedent's assets until all creditors could be paid. Once this occurred, the remaining assets were to be transferred to the probate estate.	
	PTC		
	Not.Cred.		
	Notice of Hrg		
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp	The bankruptcy estate was ultimately closed as a no asset estate. A true and correct copy of the Trustee's Final Account and Distributions Report Certification that the Estate has been Fully Administered and Application to be Discharged is attached as Exhibit 1.	
	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	<ul style="list-style-type: none"> No assets were ever transferred to Decedent's probate estate This matter should be dismissed as it is a no asset estate. This office has not had contact with Ms. McAfee for years. Efforts to contact her have been unsuccessful. 	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		Reviewed by: LV Reviewed on: 06/25/2014 Updates: Recommendation: File 11 – McAfee

**Probate Status Hearing Re: Failure to File the Inventory and Appraisal and for
Failure to File a First Account or Petition for Final Distribution**

		WILLIAM R. SHOCKLEY and KATHERINE ROYCE, children, were appointed Co-Administrators with full IAEA without bond on 12/12/2006.	NEEDS/PROBLEMS/COMMENTS: Minute Order of 05/16/2014: The Court will allow the filing of the document with a Fee Waiver. Minute Order of 03/07/2014 (Judge Hamlin): No appearances. Counsel to file the required documents or a status report before the next hearing. Failure to file said documents will result in the issuance of an order to show cause regarding contempt. Robert Cross ordered to be personally present on 05/16/2014. Copy of Minute Order was mailed to Attorney Robert W. Cross on 03/19/2014. 1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.										
		Letters issued on 12/14/2006.											
Cont. from 030714, 051614		Inventory and Appraisal was due on 05/2007.	<table border="1"> <tr><td colspan="2">Reviewed by: LV</td></tr> <tr><td colspan="2">Reviewed on: 06/25/2014</td></tr> <tr><td colspan="2">Updates:</td></tr> <tr><td colspan="2">Recommendation:</td></tr> <tr><td colspan="2">File 12 – Shockley</td></tr> </table>	Reviewed by: LV		Reviewed on: 06/25/2014		Updates:		Recommendation:		File 12 – Shockley	
Reviewed by: LV													
Reviewed on: 06/25/2014													
Updates:													
Recommendation:													
File 12 – Shockley													
Aff.Sub.Wit.		First Account or Petition for Final Distribution was due 02/2008.											
Verified													
Inventory													
PTC		Notice of Status Hearing was mailed to Robert W M Cross on 12/18/2013.											
Not.Cred.													
Notice of Hrg		Former Status Report filed 05/14/2014 states that co-administrator or decedent's estate, Katherine Royce, died on 08/05/2011. Mr. Shockley, co-administrator, has promised to prove a copy of her death certificate. In this case, the sole significant asset was the residence real property commonly known as 2805 B Street, Ca. which was subject to a substantial note secured by the deed of trust on the property. At the time of appointment of the personal representatives it appeared that there was substantial equity in the home. It was listed for sale and a buyer was found for a reasonable price. Unfortunately the buy backed out at the last minute. The value of the property then dropped because of the sharp decline of property values in general, no buyer was found at lower prices, and the property ultimately became worthless than the amount owed on notes secured by a deed of trust. Co-administrator William R. Shockley made the house payments for about a year, but beyond that it was beyond his means, and his co-administrator sister lacked means to contribute significantly to continue payment on the real property. As a consequence the property was ultimately washed in foreclosure. The lender refused to deal with the co-administrators with regard to the property. As a consequence of the above, the remaining administrator, William R. Shockley, has no assets to pay to any of the numerous creditors of decedent. Attorney Cross is requesting that remaining co-administrator supply the attorney with the documentation concerning the foreclosure and his payments. Nothing remains, of course, to reimburse him either.											
Aff.Mail													
Aff.Pub.													
Sp.Ntc.													
Pers.Serv.													
Conf. Screen													
Letters													
Duties/Supp													
Objections													
Video Receipt													
CI Report													
9202													
Order													
Aff. Posting													
Status Rpt													
UCCJEA													
Citation													
FTB Notice													

DOD: 12/25/12		MARY S. RODRIGUEZ , daughter, was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 053014		Inventory & Appraisal, final filed 05/08/13 - \$100,000.00	<p align="center"><u>OFF CALENDAR</u></p> <p align="center">First & Final Account and Report of Executor was filed 06/05/14 and is set for hearing on 07/10/14</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 06/25/14	
		Updates:	
		Recommendation:	
		File 13 - Rodriguez	

DOD: 07/04/12		WILLIAM MARTIN (MARTY) SHIBA , son, was appointed Executor with full IAEA and without bond on 03/28/13. Letters Testamentary were issued on 03/29/13.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 05/30/14</u>
Cont. from 053014		Inventory & Appraisal, final filed 07/15/13 - \$68,775.68	
Aff.Sub.Wit.			
Verified		Status Report filed 06/20/14 states: The office is currently in the process of preparing the petition and first account current in this matter. Due to unforeseen circumstances, the accounting is currently still in the works. It is anticipated that it will be ready to be filed within the next 30 days to allow time for the executor and his attorney to complete the first and account and report.	
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: JF	
		Reviewed on: 06/25/14	
		Updates:	
		Recommendation:	
		File 14 - Shiba	

DOD: 6/20/2013		ROBERT LEE ADAMS was appointed Executor with full IAEA authority and bond set at \$130,000.00.	NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR. Bond filed on 5/20/14 and Letters issued.
		Minute Order dated 4/16/14 set this status hearing for the filing of the bond and issuance of Letters.	
Cont. from 051614			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt	Reviewed on: 6/25/14	
<input type="checkbox"/>	UCCJEA	Updates:	
<input type="checkbox"/>	Citation	Recommendation:	
<input type="checkbox"/>	FTB Notice	File 15 - Edmonds	

Petition for Visitation

Gabriel age: 5 years		MARY A. HOLGUIN , Paternal Grandmother of Gabriel and Isaiah, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing at least 15 days prior to the hearing on the Guardian, Yolanda Olivas. 3. The Court may also require notice to the other family members, including the parents and siblings if age 12 or older.	
Isaiah age: 4 Years				
	Aff.Sub.Wit.	YOLANDA OLIVAS , Maternal Grandmother, was appointed Guardian of these minors and their half-siblings on 2-22-11. Father: Gabriel Garcia Mother: Esperanza Diaz Petitioner states she would like to visit with her grandchildren Gabriel and Isaiah Garcia. She would like to know them, see them, visit with them. She wants them to know her side of the family.		
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc Reviewed on: 6-25-14 Updates: Recommendation: File 16 – Diaz, Alvarez, Lopez & Garcia	

Pro Per Okamura, Suzanne (Pro Per Administrator)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6/6/2013	SUZANNE OKAMURA , sister, was appointed Administrator with Limited IAEA without bond 10/3/2013.	NEEDS/PROBLEMS/COMMENTS: Page 18 is the related Estate of Ito Okamura.
Cont. from 030714, 051614	Letters issued on 10/14/2013.	Continued from 5/16/2014. Minute Order states: No appearances. Matter continued to 6/30/2014. The Court orders Suzanne Okamura to be personally present on 6/30/2014 if the inventory and appraisal has not been filed.
Aff.Sub.Wit.	Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was due 2/14/2014 .	
Verified		Clerk's Certificate of Mailing filed 5/16/2014 shows a copy of the Minute Order dated 5/16/2014 was mailed to Suzanne Okamura on 5/16/2014.
Inventory	X	
PTC		The following issues remain: 1. Need Final Inventory and Appraisal pursuant to Probate Code § 8800(b), or verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	X	Reviewed by: LEG
UCCJEA		
Citation		Reviewed on: 6/25/14
FTB Notice		Updates:
		Recommendation:
		File 17 – Okamura

Pro Per Okamura, Suzanne (Pro Per Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 6/23/2013	SUZANNE OKAMURA , daughter, was appointed Executor with Limited IAEA authority without bond on 10/3/2013.	NEEDS/PROBLEMS/COMMENTS:
		Page 17 is the related <i>Estate of Daniel Kazuo Okamura</i> .
	Letters issued on 10/14/2013.	Continued from 5/16/2014. Minute Order states: No appearances. Matter continued to 6/30/2014. The Court orders Suzanne Okamura to be personally present on 6/30/2014 if the inventory and appraisal has not been filed.
Cont. from 030714, 051614	<i>Final Inventory and Appraisal</i> was filed on 9/18/2013 showing an estate consisting of cash and life insurance proceeds valued at \$383,670.00 .	Clerk's Certificate of Mailing filed 5/16/2014 shows a copy of the Minute Order dated 5/16/2014 was mailed to Suzanne Okamura on 5/16/2014.
<input type="checkbox"/> Aff.Sub.Wit.		
<input type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	Minute Order dated 10/3/2013 from the hearing on the Amended Petition for letters of administration set the matter for a Status Hearing for filing of the final inventory and appraisal on 3/7/2014.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail	Minute Order dated 3/7/2014 [Judge Hamlin] from the Status Hearing for filing of the Inventory and Appraisal states: No appearances. The Court orders that the assets not be wasted until the final inventory and appraisal has been filed and the creditors have been paid. The Court directs that a copy of the examiner notes be sent to Suzanne Okamura. The Court will expect the inventory and appraisal, or a status report to be filed before the next hearing. Failure to file said document(s) will result in the issuance of an order to show cause regarding contempt. Matter continued to 5/16/2014. Suzanne Okamura is ordered to be personally present on 5/16/2014.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report	Clerks' Certificate of Mailing filed 3/7/2014 shows a copy of the Minute Order dated 3/7/2014 and Examiner Notes were mailed to Suzanne Okamura on 3/7/2014.	
<input type="checkbox"/> 9202		
<input type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		Reviewed by: LEG
<input type="checkbox"/> Status Rpt		Reviewed on: 6/25/14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation		Recommendation:
<input type="checkbox"/> FTB Notice		File 18 – Okamura

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4		NO TEMPORARY REQUESTED		NEEDS/PROBLEMS/COMMENTS:	
		TIERRA ANABEL COLEMAN , paternal Aunt, is petitioner.		Minute Order of 05/01/2014 (Judge Chittick): Ms. Ambriz is appearing on behalf of the father who is unable to be present. A letter from the Father is submitted to the Court and accepted. Parties are ordered to provide their contact information to the Clerk's Office. <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Kyle Coleman (Father) – Unless the Court waives notice • Alexis Orosco (Mother) – Unless the Court waives notices 3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Maternal Grandfather (Unknown) • Jamie Briones (Maternal Grandmother) 	
		Father: KYLE ALBERT COLEMAN			
Cont. from 050114		Mother: ALEXIS OROSCO , Declaration of Due Diligence filed 02/21/2014			
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal Grandfather: Terry Coleman, Consents and Waives Notice			
<input checked="" type="checkbox"/>	Verified	Paternal Grandmother: Rosemary Smith, Consents and Waives Notice			
<input type="checkbox"/>	Inventory	Maternal Grandfather: Unknown			
<input type="checkbox"/>	PTC	Maternal Grandmother: Jamie Briones			
<input type="checkbox"/>	Not.Cred.	Petitioner states: that the child was in her care as of 11/2011 when the mother dropped the child off with the petitioner. The mother left the child and would not contact the petitioner or the child for days or weeks at a time. Both mother and father were hard to locate. For the first two years of the minor's life the petitioner cared for the child and provided for all his needs. Petitioner states that the child's home is with her and his grandparents. The child is currently residing with the father however the petitioner is worried about the care of the minor. She states the last time the child was in her care was 08/2012. Petitioner requests that notice be waived to the mother and the father as she has been subjected to verbal attacks and threats of never seeing the child again.			
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>			
<input type="checkbox"/>	Aff.Pub.				
<input type="checkbox"/>	Sp.Ntc.				
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>			
<input checked="" type="checkbox"/>	Conf. Screen				
<input checked="" type="checkbox"/>	Letters				
<input checked="" type="checkbox"/>	Duties/Supp				
<input type="checkbox"/>	Objections				
<input type="checkbox"/>	Video Receipt				
<input checked="" type="checkbox"/>	CI Report				
<input type="checkbox"/>	9202				
<input checked="" type="checkbox"/>	Order				
<input type="checkbox"/>	Aff. Posting	Letter from Father, Kyle Albert Coleman, filed 05/01/2014 states he could not make the Court date due to work. He states his job provides for him and his child and he did not want to put his job in jeopardy. He states he works 8 hours a day Monday through Friday and sometimes on Saturday when needed. He states only Mondays are available for a Court date.			
<input type="checkbox"/>	Status Rpt	Court Investigator Samantha Henson's report filed 04/25/2014.			
<input checked="" type="checkbox"/>	UCCJEA	Court Investigator Samantha Henson's supplemental report filed 06/17/2014.			
<input type="checkbox"/>	Citation				
<input type="checkbox"/>	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 06/26/2014	
				Updates:	
				Recommendation:	
				File 19 - Coleman	

Age: 7 years		TEMPORARY EXPIRES ON 6/30/14	NEEDS/PROBLEMS/COMMENTS:	
		<p>CONSUELO DURAN, maternal grandmother, is petitioner.</p> <p>Father: ISMAEL GARCIA – consents and waives notice.</p> <p>Mother: AMYE CONSUELO RODARTE</p> <p>Paternal grandparents: Unknown Maternal grandfather: Antonio Rodarte</p> <p>Petitioner states she has been in the life of her grandson since birth. He has been residing with her since December. The minor has autism and Petitioner states she has the patience to meet his needs.</p> <p>Court Investigator Jennifer Young's Report filed on 6/24/14.</p> <p>DSS Social Worker Irma Ramirez's Report filed on 6/24/14.</p>	<p>1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Amye Consuelo Rodarte (mother)</p> <p>2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Paternal grandparents b. Antonio Rodarte – served by mail on 5/13/14 for the 5/15/14 hearing, 1 day notice and not the required 15 days.</p>	
Cont. from 051514				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input type="checkbox"/>	Aff.Mail			<input checked="" type="checkbox"/>
<input type="checkbox"/>	Aff.Pub.			<input type="checkbox"/>
<input type="checkbox"/>	Sp.Ntc.			<input type="checkbox"/>
<input type="checkbox"/>	Pers.Serv.			<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Conf. Screen			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Letters			<input type="checkbox"/>
<input checked="" type="checkbox"/>	Duties/Supp			<input type="checkbox"/>
<input type="checkbox"/>	Objections	<input type="checkbox"/>		
<input type="checkbox"/>	Video Receipt	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	CI Report	<input type="checkbox"/>		
<input type="checkbox"/>	9202	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	Order	<input type="checkbox"/>		
<input type="checkbox"/>	Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/>	Status Rpt	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/>	Citation	<input type="checkbox"/>		
<input type="checkbox"/>	FTB Notice	<input type="checkbox"/>		
			Reviewed by: KT	
			Reviewed on: 6/26/14	
			Updates:	
			Recommendation:	
			File 20 - Rodarte	

Atty Vidal, Lydia (pro per – maternal grandmother/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Eric, 15	<u>NO TEMPORARY IN PLACE:</u>		NEEDS/PROBLEMS/COMMENTS:
Cerina, 13	<u>TEMPORARY DENIED ON 05/12/14</u>		
Gregory, 10	LYDIA VIDAL, maternal grandmother, is Petitioner.		1. Need Notice of Hearing.
	Father: GABRIEL GUTIERREZ		
Cont. from	Mother: EILEEN ROCHA		2. Need proof of service at least 15 days before the hearing of Notice of Hearing with a copy of the Petition for Appointment of Guardian of the Person <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:
Aff.Sub.Wit.	Paternal grandparents: NOT LISTED		
✓ Verified	Maternal grandfather: NOT LISTED		a. Eileen Rocha (mother) – personal service required
Inventory	Petitioner states the children lived with her for 9 years up until 04/22/14 when the mother removed them from her home. Petitioner states that since residing with their mother, the children have not been attending school and do not have sufficient clothes.		
PTC	Court Investigator Jennifer Young filed a report on 06/24/14.		b. Gabriel Gutierrez (father) – personal service required
Not.Cred.			
Notice of Hrg	x		c. Eric Gutierrez (minor) – personal service required
Aff.Mail	x		
Aff.Pub.			d. Cerina Gutierrez (minor) – personal service required
Sp.Ntc.			
Pers.Serv.	x		e. Paternal grandparents – service by mail sufficient
✓ Conf. Screen			
✓ Letters			f. Maternal grandfather – service by mail sufficient
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Reviewed by: JF

Reviewed on: 06/25/14

Updates:

Recommendation:

File 21 - Gutierrez

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Aysia, 2		<p align="center"><u>TEMPORARY EXPIRES 06/30/14</u></p> <p>GINA WALKER, paternal grandmother, is Petitioner.</p> <p>Father: JEROME DIXON – deceased</p> <p>Mother: CIDNEY TAYLOR – Declaration of Due Diligence filed on 4/30/14</p> <p>Paternal grandfather: NOT LISTED</p> <p>Maternal grandparents: NOT LISTED</p> <p>Petitioner states the mom abuses drugs and alcohol and is homeless. Father is deceased. Petitioner states the children have been in her care since 11/2013.</p> <p>Court Investigator Jennifer Young filed a report on 06/20/14.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for: <ol style="list-style-type: none"> a. Cidney Taylor (mother) – personal service required, unless diligence is found, Declaration of Due Diligence states that her current whereabouts are unknown b. Paternal grandfather – service by mail sufficient c. Maternal grandparents – service by mail sufficient
Jerome, 10 mos.			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	x		
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		<p>Reviewed by: JF</p> <p>Reviewed on: 06/26/14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 22 - Dixon</p>	

Age: 75		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>ROBERT VEGA, brother, and JULI VEGA, sister-in-law, are petitioners and request appointment as Conservator of the Person with medical consent powers.</p> <p>Declaration of Taruna Nijhawan, M.D., filed 05/13/2014 supports request for medical consent.</p> <p>Voting Rights Affected</p> <p>Petitioners state: proposed Conservatee is 75 years old, has very limited ability to care for herself, she is unable to manage everyday things such as cooking, cleaning, and managing her personal hygiene. She cannot drive and is unable to navigate a city bus line or call a cab and then pay the drive for the fare properly. She is unable to grocery shop for herself or make appointments for medical, dental or eye exams and cannot keep a calendar of important dates. Proposed conservatee has lived her entire life with her mother until the mother's passing in 1996 which she then moved in with her a sister-in-law until April of 2010. She has been in the care of the petitioners since 2010. She cannot live alone and needs constant supervision.</p> <p>Court Investigator Samantha Henson's report filed 06/25/2014.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Court Investigator Advised Rights on 06/18/2014.</p> <p>Voting Rights Affected Need Minute Order.</p> <ol style="list-style-type: none"> Need Notice of Hearing. Need Proof of Service of the Notice of Hearing with a copy of the petition at least thirty (30) days prior to the hearing to Central Valley Regional Center per Probate Code § 1822(e). #3 (a) or #3(b) of the Capacity Declaration was not answered by the doctor as to whether he is a California Licensed Physician or a Religious Practitioner. #4 (a) was not answered as to when Dr. Nijhawan last saw the proposed conservatee. #4 (b) was not answered as to whether the proposed conservatee is or is not a patient under his continuing treatment. Need Order. 	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
✓	Pers.Serv.			
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
<input type="checkbox"/>	Objections			
✓	Video Receipt			
✓	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order			x
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
✓	Citation			
<input type="checkbox"/>	FTB Notice			
		<p>Reviewed by: LV</p> <p>Reviewed on: 06/26/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 23 - Vega</p>		

		TEMPORARY EXPIRES 6-30-14	NEEDS/PROBLEMS/COMMENTS:
		DEBBIE WALTRIP , Wife, is Petitioner and requests appointment as Conservator of the Person with medical consent powers.	Court Investigator Advised Rights on 06/19/2014 by telephone.
			Voting Rights Affected - Need Minute Order.
Cont. from		Capacity Declaration: Needed	Note: Petitioner filed this petition for conservatorship of the person only in pro per; however, on 6-27-14, Petitioner filed an amended petition requesting conservatorship of the Person <u>and Estate</u> that is set for hearing on 8-7-14, along with a Petition for Temporary Conservatorship of the Estate, which is set for hearing on 7-10-14, through Attorney Gary Bagdasarian. However, no substitution has been filed.
	Aff.Sub.Wit.		
✓	Verified	Petitioner states the proposed Conservatee was essentially kidnapped by his daughters and taken to Oklahoma and is now listed as a missing person under suspicious circumstances. He is currently without all his daily medications. The people that have taken him are the same people who took him four years ago and were able to coerce him into removing money from his accounts including \$33,000 from his annuity fund. Petitioner requests to be excused from giving notice to the proposed conservatee's daughters.	SEE ADDITIONAL PAGES
	Inventory		
	PTC	Court Investigator Julie Negrete's filed a report on 06/24/2014.	Reviewed on: 06/26/2014
	Not.Cred.		
	Notice of Hrg		Recommendation:
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

NEEDS/PROBLEMS/COMMENTS:

As of 6-27-14, the following issues remain:

1. Need Capacity Declaration.
2. Need Citation.
3. Need proof of personal service of the citation and a copy of the petition on the proposed conservatee.
4. Need Notice of Hearing.
5. Petitioner lists only the proposed conservatee's two daughters that she alleges have taken him; however, according to the Court Investigator's report, the proposed Conservatee has other children also.

Therefore, need complete list of relatives within the 2nd degree pursuant to Probate Code §1821(b).

6. Need Notice of Hearing.
7. Need proof of service of Notice of Hearing with a copy of the petition at least fifteen (15) court days prior to the hearing on all relatives pursuant to Probate Code §1822.

Petition for Appointment of Temporary Conservatorship of the Person

Age: 71		GENERAL HEARING 07/29/2014		NEEDS/PROBLEMS/COMMENTS:	
		I'ISHA COOLEY, daughter, is petitioner and requests appointment as Temporary Conservator of the Person and the Estate without bond and with \$101,066.14 placed into a blocked account.		Court Investigator Advised Rights on 06/17/2014.	
Cont. from				1. Need proof of personal service of Notice of Hearing with a copy of the temp petition at least five court days prior to the hearing on the proposed Conservatee pursuant to Probate Code §2250(e).	
	Aff.Sub.Wit.			2. Probate Code §2320 states except as otherwise provided by statute, ever person appointed as conservator shall give a bond approved by the court. Therefore, bond should be set at \$62,000.00.	
✓	Verified			Note: If the petition is granted, status hearings will be set as follows:	
	Inventory			<ul style="list-style-type: none"> Tuesday, July 29, 2014 at 9:00 a.m. in Department 303, for the filing of receipt for blocked account. 	
	PTC			Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
	Not.Cred.			Note: A status hearing should also be set on Tuesday, July 29, 2014 for the filing of the final account of the former Conservator, Ruby Jones. Probate Code §2632(c) states that the court may compel the attorney for the deceased conservator to file an account of the deceased conservator. Therefore, if Michael Farmer is not in court the court should direct a copy of the minute order be mailed to him.	
✓	Notice of Hrg			Reviewed by: LV	
✓	Aff.Mail	w/		Reviewed on: 06/26/2014	
	Aff.Pub.			Updates: KT – on 6/27/14	
	Sp.Ntc.			Recommendation:	
	Pers.Serv.	x		File 25 - Cooley	
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				

RUBY JONES, sister, was appointed conservator of the person and the estate on 03/25/2008. Ms. Jones passed away on 6/5/14 leaving a vacancy.

Estimated value of the estate:
 Personal property - \$134,177.80
 Annual income- \$ 23,037.71
Total - \$157,215.51

Petitioner states: the proposed conservatee suffered a traumatic brain injury and is unconscious and unable to care for himself or provide food, shelter and clothing for himself. Conservator, Ruby Jones, passed away on 06/05/2014. There is no one to make decisions for the proposed conservatee. Petitioner states she is willing and able to be his conservator.

Declaration of Attorney C. Michael Farmer filed 06/23/2014 declares that Conservator, Ruby Jones, passed away on June 5, 2014 and the office of conservator is now vacant.

Court Investigator Charlotte Bien's report filed 06/18/2014.

Petition for Appointment of Temporary Conservator of the Person (Prob

			GENERAL HEARING 7-22-14	NEEDS/PROBLEMS/COMMENTS:
			KENYATA LINDSEY WALTON , Sister, is Petitioner and requests appointment as Temporary Conservator of the Person. Petitioner states the proposed Conservatee has down syndrome. His current care provider is too sick to help him. Petitioner is his sister and can help with all his needs. Petitioner proposes to change the proposed conservatee's residence during temporary conservatorship to live with Petitioner. Petitioner filed an additional declaration on 6-26-14 that states even before everything with our grandmother happened, we'd pick up Maurice and he'd spend time with us. Petitioner's sister Monica usually takes him to get his hair cut, all the sisters would have him over for the night, take him to get his hygiene items and other daily things. It was in these visits that Petitioner and her sisters noticed that he wasn't living life to the fullest. He has never been in a day program, wasn't going out at all, and didn't have a healthy diet. Petitioner states they all came to the decision that she would be best fit to care for Maurice. Petitioner is motivated and caring, she is finishing a nurses' assistant program, and is going to college. When their grandmother became sick, Petitioner had him over more frequently. When she was diagnosed with terminal cancer, Maurice became more upset and agitated, and would cry frequently. Petitioner felt like it was a stressful environment for him. Petitioner states that Monique, who has power of attorney to their grandmother, suddenly refused to grant Petitioner or any of the sisters access to Maurice. He missed a niece's birthday party. This division is something their grandmother never would have wanted.	Court Investigator advised rights on 6-25-14. 1. Need proof of personal service of Notice of Hearing with a copy of the Temporary Petition on the proposed Conservatee Maurice Jones at least five court days prior to the hearing pursuant to Probate Code §2250(e). 2. Petitioner does not list any other relatives at #11 of the petition. Need declaration listing all relatives of the proposed Conservatee to the 2 nd degree. 3. Petitioner filed a Notice of Hearing on 6-20-14 listing four people that were personally served; however, the proof of service is incomplete and it does nto appear that a copy of the temp petition was served with the notice pursuant to Probate Code §2250(e). Also, it is unclear who the people listed are, because the relatives were not listed in the original petition. <u>Note to Petitioner:</u> Please remember that for the hearing on 7-22-14, CVRC will need to be served with Notice of Hearing in addition to family members. Probate Code §1822(e).
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail	X		
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.	W		
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
✓	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

SEE ADDITIONAL PAGES

Reviewed by: skc
Reviewed on: 6-25-14
Updates: 6-27-14
Recommendation:
File 26 - Jones

Page 2

Petitioner states she plans to put Maurice in a day program, continuing his involvement with all his sisters lives and his family, outings, and a healthy diet and exercise. Most of the family supports this decision including some aunts and uncles, their mother, and all sisters, even family friends.

Court Investigator Jennifer Young filed a report on 6-27-14.